

Chapter 2 State Financial Eligibility and Purchasing Policies

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MVR Policy 2.1 Table of Income and Resources

Applied Effective Date: 03/19/2008

Last Edition Date: 06/18/2007

Federal Authority:

State Authority: **ARM 37.30.404** Vocational Rehabilitation Program:
Adaptations of Financial Need Standard

Policy Statement:

Montana Vocational Rehabilitation Table of Income and Resources

Family Size	Monthly Income	Annual Income	Resources
1	2,167	26,000	13,000
2	2,917	35,000	17,500
3	3,667	44,000	22,000
4	4,417	53,000	26,500
5	5,167	62,000	31,000
6	5,917	71,000	35,500
7	6,667	80,000	40,000
8	7,417	89,000	44,500

MVR Policy 2.2 Financial Need Standard

Applied Effective Date: 09/01/02

Last Edition Date: 7/ 1/2002

Federal Authority:

State Authority: ARM 37.30.404 Vocational Rehabilitation

Program: Adaptations of Financial Need Standard

Policy Statement:

An individual has financial need if the individual's income and resources and any other income and resources available to the individual are less than the standards in the vocational rehabilitation program's table of income and resource standards. For individuals whose income and resources are equal to or less than the levels identified in the vocational rehabilitation income and resources table, and for whom comparable benefits are not available otherwise, the department may provide for the cost of those services listed in the individual's IPE that must be purchased.

Financial need may not be used as a condition for furnishing any vocational rehabilitation service if the individual in need of the service has been determined eligible for Social Security benefits under Titles II or XVI of the Social Security Act.

The financial need of an individual will be determined in a timely manner prior to the provision of cost services. A financial needs test may not be applied as a condition to providing the following services:

- (A) Assessment for determining eligibility and priority for services except those non-assessment services that are provided to an individual with a significant disability during either an exploration of the individual's abilities, capabilities, and capacity to perform in work situations through the use of trial work experiences;
- (B) Assessment for determining vocational rehabilitation need;
- (C) Vocational rehabilitation counseling and guidance
- (D) Referral and other services;
- (E) Job-related services;
- (F) Personal assistance services;
- (G) Any auxiliary aid or service, reader services, that an individual with a disability requires under section 504 of the Act (29 U.S.C. 794) or the Americans with Disabilities Act (42 USC 12101, et.seq.) or regulations implementing those laws, in order for the individual to participate in the VR program.

MVR Policy 2.3 Participation in the Purchase of Vocational Rehabilitation Services

Applied Effective Date: 12/27/02

Last Edition Date: 1/01 /2000

Federal Authority:

State Authority: ARM 37.30.405 Vocational Rehabilitation Program:
Determination and Use of Financial Need Prior To Service

Policy Statement:

The counselor shall require an individual to utilize unobligated personal income and assets in determining the level of cost sharing of VR/IPE services. The projected disability related expenses of an individual shall be taken into consideration when the agency considers the individual's participation in federally funded student aid programs. Income and resources equal to or below the financial need standard are considered obligated unless the counselor and the individual agree a portion of that income or resource can be contributed to the program of services in the Individualized Plan for Employment.

MVR Policy 2.4 Determination of Financial Need 01/05/04

Applied Effective Date: 01/05/04

Last Edition Date: 12/27/02

Federal Authority:

State Authority: ARM 37.30.405 Vocational Rehabilitation Program:
Determination and Use of Financial Need Prior To Service; & Determination of Financial Responsibility

Policy Statement:

1. The individual will be the primary source of the financial information necessary for the determination of financial need. The counselor may obtain information about an individual's financial resources and requirements from any reliable source.
2. An individual's consent will be necessary for the counselor to obtain any personal financial information. If an individual is un-emancipated, the consent of parents or a guardian will be necessary for the counselor to obtain personal financial information. The counselor may not expend program funds for services for the person who fails to provide necessary financial information either directly or by consent to release.
3. The counselor, in calculating the financial need of an individual, will identify

and utilize all available financial resources of the individual, the individual's spouse, and, if the individual is unemancipated, the financial resources of his/her parents. In calculating the availability of similar benefits and MVR cost participation, the counselor shall require a copy of the student federal financial aid award letter in the case record prior to funding the second quarter or semester of school.

4. In determining financial need, the counselor will consider the next 12 months' projected income except as otherwise provided. For individuals who are seasonally employed, annual income is calculated based on income history. In the case of someone who is self-employed, consider adjusted gross income after expenses.

5. The counselor will exclude the following personal assets from consideration of financial need:

- a. The consumers, the consumers spouse or the consumers parent's home;
- b. A business or farm owned by the consumer, the consumer's spouse or the consumer's parents in the case of a minor if that business or farm is determined by MVR to be the primary source of income for the parents or is their major asset;
- c. The consumer's, or the consumer's spouse's Individual Retirement Accounts;
- d. Trust funds that are established as a result of disability to assist with the present and future medical and independent living expenses of the consumer's, or the consumer's spouse. A copy of the trust fund must be provided to the department for the record prior to the exclusion of the asset.
- e. Those individuals who can demonstrate proof of eligibility for SSI benefits, or can demonstrate eligibility for a federal or state program which holds a standard allowing resources equal to or less than the MVR income and resource table may be presumed to be financially eligible;
- f. The MVR counselor shall obtain an updated financial report of the individual's financial status at the time of IPE annual review.

MVR Policy 2.5 Montana Vocational Rehabilitation Policy B - "Rates of Payment".

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34 CFR 361.50 **Payment for Services**

State Authority: ARM 37.30.730; and 37.30.102 Vocational Rehabilitation
Program: Financial Limitations

Policy Statement:

MVR utilizes the published fees for all forms and levels of training and other services where these fees exist. Service fees that are not publicized are

negotiated on an individualized basis. Medicaid reimbursement rates are used for in-patient and out-patient services unless otherwise provided by the MVR Fee Schedule. When deciding between goods or services of commensurate quality, MVR shall take into consideration informed consumer choice and the more the cost effective rate of payment. Payment for physical and mental restoration services listed in the MVR Policy Manual, M. Section III Consensus: Policy Regarding Scope of MVR Services is limited to those rates as listed in the vocational rehabilitation fee schedule manual. The department herein adopts and incorporates by this reference the vocational rehabilitation fee schedule manual published by the department. Payment for hospital care is limited to those rates provided in the medical assistance rates of Title 37, chapter 12, sub-chapters 5 and 12 of the Administrative Rules of Montana. Payment for hospital care from a hospital in another state is at the rates as established by that state's vocational rehabilitation agency.

MVR Policy 2.6 Prior Authorization and Verbal Authorization

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34 CFR 361.50 Authorization for Services

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation by Reference of Federal and State Authority

Policy Statement:

All MVR services must be prior-authorized by an MVR counselor or a member of that person's line of supervision. A verbal authorization may be given by a counselor or by a member of that person's line of supervision when a placement is threatened or in a medical emergency. Written authorization must be issued within 48 hours of the verbal authorization.

MVR Procedure 2.1 Office Financial Completion and Quality Control Procedure

Applied Effective Date: 06/05/03

Last Edition Date: 06/05/03

Financial Forms are to be completed in the electronic format [04a. *Financial Summary Form version (071/01/02)*] in offices where staff have access to computer technology and printers. Financial forms may be done manually when the staff is in itinerate status and do not have access to electronic formats and immediate printing capacity. Each office is to have a system in place to verify the financial is completed and signed prior to the initiation of the first cost service of the IPE.

MVR Policy 2.7 Financial Policy Fee Schedule Financial Limitations

Applied Effective Date: 12/27/02

Last Edition Date: 01/01/2000

Federal Authority:

State Authority: ARM37.30.730&37.30.416 Vocational Rehabilitation program:
Financial Limitations: & Vocational Rehabilitation Program: Payment of Tuition
for Higher Education

Policy Statement:

When MVR is the purchaser of services, MVR shall conform to the rates of payment in Appendix A of this policy manual for the services listed. Any provider of services may not make any charge to or accept any payment from the individual or his/her family for the service unless the amount of the charge or payment is previously known and approved by MVR.

MVR will only provide funding for the cost of tuition for a client at the program of higher education, Community/junior College, vocational school, technical school or institute, or hospital school of nursing that the department determines is the most cost effective. MVR provides funding for the cost of tuition for an individual at a public or private program of higher education up to but not exceeding the highest tuition charge in the Montana university system unless MVR determines that the program is not available otherwise or that the overall cost of attendance to the department inclusive of tuition, room and board, texts and supplies at the program with the more expensive tuition will be less than the overall cost of attendance at the program in the Montana university system.

For tuition to a nationally recognized program, designed and staffed for persons with significant disabilities, MVR provides funding for the cost of tuition.

MVR Policy 2.8 Fee Schedule Appendix A

Applied Effective Date: 10/01/2007

Last Edition Date: 07/01/02

Federal Authority: 37.30.730 & 37.30.416

State Authority: Vocational Rehabilitation Program: Financial Limitations:
Vocational Rehabilitation Program: Payment Of Tuition For Higher Education

Appendix A: MVR Fee Schedule

The following Montana Vocational Rehabilitation (MVR) Fee Schedule represents the maximum medical reimbursement allowable for providers other than hospitals. Maximum fees can be exceeded only with the approval of the Regional Administrator.

Audiological exam & report - \$68
Cardiologist exam & report - By Report
Dental exam & report - \$51
Existing physician notes (preferably updated) - \$23
Eye glasses - \$198
General physical exam & report - \$74
Hearing aids paid at the level of invoice and dispensing fees (including warranty)
Interpreter (per hour) {National Registry of Interpreters Certified (NRIC)}
 Free-lance – NRIC - \$24.74
 Free-lance - Non-Certified - \$22.49
 OJT & Job Coach Assistance - NRIC - \$16.89
 OJT & Job Coach Assistance - Non-Certified - \$14.64
Neurological exam & report (x-rays extra) - \$124
Neuropsychological exam & report - \$72.00 per hour (maximum 11 hours)
 The psychologist shall indicate on the invoice the number of hours or parts of hours entailed by the exam(s).
Occupational therapy (per session) - \$63
Oncologist exam & report - \$124
Ophthalmologist exam & report - \$85
Optometric exam & report - \$58
Orthopedic exam & report (x-rays extra) - \$124
Other physician exams & reports not on the list - \$124
Otorhinolaryngologist (ENT) exam & report - \$124
Physiatry exam & report - \$124
Physical therapy (per session) - \$63
Psychiatric exam - \$124
Psychological exam & report - \$72.00 per hour (maximum 3 hours)
 (Counselor must justify additional hours in case record based on need for specific assessments in addition to basic test battery)

Psychological therapy

Clinical psychologist - \$72 per hour

LCSW and LPC - \$55.00 per hour

Group sessions - \$16.39 per hour

Speech therapy (per session) - \$46

Travel - If the contract location is 30 miles or more from the base community, MVR will pay current state rate per mile.

Visual field exam & report - \$113

The following services and costs are covered by the MVR Fee Schedule if performed in a clinic or office setting. Should the services occur in a hospital, the hospital and physician costs would fall under the Medicaid reimbursement rate:

Cataract surgery (physician) - \$3,374

Cataract surgery (outpatient) - \$2,025

Cornea transplant (physician) - \$3,374

Eye muscle surgery (physician) - \$1,123

Eye muscle surgery (outpatient) - \$1,123

Laser surgery (glaucoma) - \$618.00

Laser surgery - \$618.00

(secondary membrane after cataract extraction)

Laser surgery - \$1,123

(diabetic retinopathy {photocoagulation} as required)

Low Vision Clinic - \$106

Vitrectomy (physician) - \$3,935

MVR Procedure 2.2 General Purchasing and Property Management Instructions and Requirements 2 1 07

Applied Effective Date: 02/01/07

Last Edition Date: 12/23/02

This procedure is supported by the delegated authority given to the Division by the Public Health and Human Services purchasing agreement with the Department of Administration

Delegated Authority to Purchase

MVR counselors have the authority to purchase necessary case goods and services. The MVR Authorization purchases all consumer goods and services. Certain durable goods exceed the cost authority of the Division and those goods must be purchased through the authority of DPHHS Purchasing. MVR counselors have the authority to purchase durable goods up to \$3,499 based on

case file documented rehabilitation need, consumer choice of vendors and counselor consensus regarding suitability of the goods being purchased

MVR Procedure for Bidding

The MVR counselor will conduct a minimum of three bids (telephone acceptable) for purchases of goods ranging from \$3,500 to \$14,999. The case file shall contain the following evidence of the bid for a minimum of three vendors:

- a. The name and telephone number of the contact person;
- b. The bid price, with shipping and handling if applicable;
- c. Delivery date after receipt of order; and
- d. Brand, model, color and any special instructions or conditions.

The purchase must be awarded to the lowest bidder. The successful bidder must present to the counselor a written bid, which includes a description of any special conditions or needs.

For any purchase to an individual vendor \$15,000 or over, the counselor must route the purchase through the DPHHS purchasing office utilizing the ADM-002 in addition to the authorization. The counselor may submit a request for a preferred vendor. Documentation to support the vendor is the same documentation required in the above referenced "Documentation Requirements."

MVR Procedure Regarding Sole Source Justification

A counselor will encounter special circumstance, which may require a modification of the purchasing process. Those circumstances are: the need for sole-source purchases, and emergency purchases.

Sole-source justifications are to be written by the counselor and stored in the case file. A sole-source justification describes the rehabilitation needs, which require MVR deal with a specific vendor even when the cost may be more. The significant private financial participation of the consumer in the purchase of a good may suffice to establish a sole-source relationship with a vendor. The financial advantage of purchasing used equipment may also suffice as a sole-source justification. The Regional Administrator as well as the counselor prior to the purchase must sign the case entry entitled "Sole-source Justification". For purchases over \$15,000, the sole-source justification case entry must be copied and sent along with the ADM-002 to DPHHS purchasing. Emergency justifications for sole source purchasing are limited to circumstances where the bidding process would substantially threaten the successful outcome of the rehabilitation program.

MVR Procedure Regarding Term Contracts

Term contracts are contracts established by the Department of Administration Property and Supply Division for a predetermined price for contract price. The MVR counselor must purchase from the exclusive term contracts unless a sole-source justification overrides this requirement. The file justification must be submitted to the DPHHS Purchasing Office for approval prior to purchasing outside the term contract. All term contract purchases regardless of price must be routed through DPHHS Purchasing for updated pricing.

MVR Procedure Regarding Loan Agreement/Transfer of Ownership

The counselor will enter into a signed Loan Agreement/Transfer of Ownership arrangement ([Loan Agreement Form](#)) when purchasing durable goods for a consumer that cost more than \$500. The counselor will transfer the ownership of the goods when the counselor determines the goods will be suitable and used for the purposes of the Plan goal. The counselor may assign ownership if the good is used to overcome an impediment to independent living. The counselor may retain ownership for goods costing less than \$500 when the counselor determines the goods may have significant value to another consumer if returned. This policy does not apply to durable goods in which the consumer has significant cost participation either in direct payment or through secondary costs such as motor vehicle insurance. The MVR Regional/Program Administer may adapt this procedure for an individual consumer to allow the authorization of the direct assignment of durable goods valued over \$500, if the Regional/ Program Administrator determines direct assignment best serves the consumer and agency in meeting rehabilitation need.

The counselor must register all goods purchased through the Loan Agreement/Transfer of Ownership process as an agency comparable benefit in the MVR Comparable Benefits Inventory. MVR Property managers will use the following criteria to determine if they must maintain an inventory on durable goods purchased with MVR benefit funds and loaned to clients for possible assignment. The following loaned durable goods must be entered into the inventory:

1. All durable goods valued over \$500;
2. All Computer Processing Units under four years old that have retained their value;
3. Any computer peripheral valued over \$500 and adaptive technology valued over the price of \$250;
4. Other equipment specifically determined by the agency to have value as a loan item regardless of cost.

MVR staff will directly grant to the client all equipment that does not meet the above criteria for value. All other monitors, speakers, key boards, and do not meet the criteria of 1-4 are not to be entered into the CBI inventory.

Technology Considerations:

Software purchases other than basic operating systems will be made in the client's name unless the counselor and Regional Administrator determine the software has long term value in the CBI inventory.

The MVR CBI Loaner Computer Check-out Protocol:

If the computer is property of MVR, prior to physically loaning (handing over) the CPU, MVR property manager will assure:

1. The software on the computer is inventoried to verify the agency or client has a license for all the software on the machine. No computer may be loaned containing software for which MVR or the client cannot demonstrate ownership.
2. The computer has current virus protection. A computer may not be loaned for a period that exceeds the virus protection. Typically this will require minimally an annual review of loaned equipment to update protection.

The MVR CBI Loaner Computer Check-in Protocol:

If the computer is property of MVR when the computer is physically received by MVR:

1. The previous users' profile and all user information shall be deleted from the computer. All software on the computer not licensed to MVR, or for which we cannot demonstrate a license, must be uninstalled.
2. If the computer is checked in without current virus protection, the computer must be scanned for viruses prior to reusing.

The MVR CBI Loaner Computer Disposal Procedure:

When disposing of computer processing units that have lost their value, the MVR property manager is to arrange to have the hard drive removed from the unit and shipped to Central Office for disposal. A CPU used in the MVR CBI Loaner program may not be disposed locally with the hard drive(s) intact.

MVR Documentation Requirements Regarding Ongoing IPE Purchasing

a. The MVR case record will reflect that a minimum of three bids (telephone acceptable) for purchases of goods ranging from \$3,500 to \$14,999. The case file shall contain the following evidence of the bid for a minimum of three vendors:

- i. The name and telephone number of the contact person;

- ii. The bid price, with shipping and handling if applicable;
 - iii. Delivery date after receipt of order; and
 - iv. Brand, model, color and any special instructions or conditions
- b. The MVR case file will contain the winning bid along with any conditions of purchase agreed to with the vendor.
- c. The MVR case record will reflect MVR counselor approval of goods and services received for payment.
- d. The MVR case file will contain the Loan/Agreement transfer of ownership documentation for any good purchased or loan service provided through the agency.
- e. The MVR case record will contain headlined case entries justifying sole source purchases with counselor and Regional Administrator signatures.